
DeKalb County Board of Commissioners
Larry Johnson, MPH
Presiding Officer



Board of Commissioners
Commissioner Nancy Jester, District 1
Commissioner Jeff Rader, District 2
Commissioner Larry Johnson, District 3
Commissioner Sharon Barnes Sutton, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Kathie Gannon, District 6
Commissioner Stan Watson, District 7

DEKALB COUNTY, GEORGIA
BOARD OF COMMISSIONERS
ZONING SUMMARY

July 28, 2015

MEMBERS PRESENT: Nancy Jester, Jeff Rader, Larry Johnson, Mereda Davis Johnson,
 Kathie Gannon, Stan Watson

MEMBERS ABSENT: Sharon Barnes Sutton

STAFF: Barbara Sanders, County Clerk, O.V. Brantley, County Attorney, Viviane Ernstes, Deputy County
 Attorney, Bennett Bryan, Deputy County Attorney

ACTION KEY:

NC/NORMAL COURSED	A PRELIMINARY ITEM WHICH THE BOARD HAS SENT TO THE NEXT AGENGA AS AN ACTION ITEM
NC TO WORK SESSION	WORK SESSION FOR DISCUSSION AND TO THE NEXT AGENDA AS AN ACTION ITEM
WWP	WITHDRAWN WITHOUT PREJUDICE

Citizens may speak for or against an item that is considered by law to be a zoning ordinance and each side will have ten minutes to present its case. Citizens may also speak for or against an item that is placed on the public hearing agenda but is not a zoning ordinance. In that case, each side will have five minutes to present its case. In the event there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the ten-minute time allotment, or the five-minute time allotment. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to leave the podium area. Prior to speaking, please complete a speaker card and present it when approaching the podium. If you have any documents for the Commissioners, please provide 10 copies when approaching the podium. Seven copies are for the Commissioners and the remaining copies are for the planning director, the county attorney and the clerk. Applicants or citizens speaking in favor of an item shall speak first and applicants in zoning ordinance cases shall have the right to reserve time for rebuttal. Opponents of a zoning ordinance item shall have no right of rebuttal. Once the citizens have finished speaking, staff shall make a recommendation for action to the commission. At this point, citizens are no longer allowed to speak unless called to the podium by an individual commissioner to answer questions or provide information. When speaking, always talk directly into the microphone and begin by stating your name, address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker's position.

**MANUEL MALOOF AUDITORIUM
1300 COMMERCE DRIVE
DECATUR, GEORGIA 30030**

BOARD OF COMMISSIONERS HEARING DATE – TUESDAY, JULY 28, 2015; 6:30 P.M.

AGENDA

**N.1 CZ-15-19903 WITHDRAWN WITHOUT PREJUDICE Commission District: 5 Super District: 7
16-068-02-018**

Application of Joseph Amos, Jr. to request a major modification of approved zoning conditions pursuant to CZ-7707 zoning which limits the site to auto repair to allow a used auto sales establishment in a C-2 (General Commercial) District. The property is located on the southeast corner of Redan Road and Young Road, at 6061 Redan Road in Lithonia, Georgia. The property has approximately 175 feet of frontage on Young Road and 265 feet of frontage on Redan Road and contains 1 acre.

**N.2 SLUP-15-19909 APPROVED WITH STAFF'S CONDITIONS WITH ADMENDMENT TO CONDITION NO. ONE: HOURS OF 6:30 A.M. TO 6:00 P. M. Commission District: 4 Super District: 7
18-017-01-116**

Application of Tsega Gebremichael for a Special Land Use Permit to allow a child day care facility for no more than six (6) children in the R-100 (Single-Family Residential) District. The property is located on the southeast corner of Pine Shadows Lane and Pine Hill Court East, approximately 410 feet north of Fairforest Drive at 500 Pine Shadows Lane in Stone Mountain, Georgia. The property has approximately 125 feet of frontage along Pine Shadow Lane and 165 feet of frontage along Pine Hill Court East and contains .5 acre.

N.3 Z-15-19913 FULL CYCLE DEFERRAL

Commission District: 2 Super

District: 6

18-109-03-004; portion of 18-109-03-004

Application of C12 Group of Atlanta to rezone a portion of property from R-75 (Single-Family Residential) to O-I (Office Institutional) District to allow a 20-unit high rise residential condominium building up to five stories tall. The property is located on the south side of LaVista Road, approximately 510 feet west of Briarcliff Road at 2108 Briarcliff Road in Atlanta, Georgia. The property has approximately 20 feet of frontage along LaVista Road and contains .8 acre.

N.4 SLUP-15-19945 FULL CYCLE DEFERRAL

Commission District: 2

Super District: 6

18-109-03-004; portion of 18-109-03-004

Application of C12 Group of Atlanta for a Special Land Use Permit (SLUP) in the O-I (Office Institutional) District to increase the building height from two to five stories to allow a 20-unit high rise residential condominium building. The property is located on the south side of LaVista Road, approximately 510 feet west of Briarcliff Road at 2108 Briarcliff Road in Atlanta, Georgia. The property has approximately 20 feet of frontage along LaVista Road and contains .8 acre.

N.5 SLUP-15-19915 DEFERRED UNTIL AUGUST 11, 2015; DECISION ONLY

Commission District: 1 Super

District: 7

18-214-04-088

Application of Carter Engineering Consultants, Inc for a Special Land Use Permit for a drive-through lane for a new Zaxby's restaurant in a C-1 (Local Commercial) District. The property is located on the southeast intersection of Hugh Howell and Cowan Road, at 4409 Hugh Howell Road, Tucker. The property has approximately 117 feet of frontage along the southwest side of Hugh Howell Road, 173 feet of frontage along the southeast side of Cowan Road, and 93 feet of frontage along the east side of Dillard Street and contains .63 acre.

N.6 SLUP-15-19918 APPROVED WITH STAFF'S CONDITIONS

Commission District: 4

Super District: 6

18-048-03-009

Application of The Kroger Company for a Special Land Use Permit to add two fuel pumps to an existing fuel center in a C-1 (Local Commercial) District. The property is located on the southeast corner of North Decatur Road and DeKalb Industrial Way, at 2875 North Decatur Road, Decatur. The property has approximately 238 feet of frontage on the south side of North Decatur Road and 502 feet of frontage on the east side of DeKalb Industrial Way and contains 18.71 acres.

N.7 CZ-15-19919 DEFERRED UNTIL AUGUST 25, 2015
District: 7
15-196-03-011

Commission District: 5 Super

Application of Brian Baker for a Major Modification to change conditions of zoning pursuant to CZ-04023, to allow car sales at an existing car wash and tire sales establishment in a C-2 (General Commercial) district. The property is located on the south side of Covington Highway, approximately 1,789 feet southeast of Interstate 285, at 4367 and 4371 Covington Highway, Decatur. The property has approximately 180 feet of frontage on the south side of Covington Highway and contains 3.55 acres.

N.8 SLUP-15-19922 APPROVED WITH STAFF'S 10 CONDITIONS AND ONE ADDITIONAL CONDITION NO. 11 READ INTO THE RECORD BY COMMISSIONER LARRY JOHNSON: AT LEAST 11 SCHOLARSHIPS; AND REDUCE BUSINESS HOURS: CHANGE TO 4:00 P.M. – 9:00 P.M., MONDAY THRU THURSDAY.

Commission District: 3 Super District: 7

15-185-01-001

Application of Atlanta Youth Soccer Assn. for a Special Land Use Permit for a neighborhood recreation club with three playing fields in an R-75 (Single-Family Residential) District. The property is located on the north side of Glenwood Road, approximately 127 feet west of Santa Cruz Drive, at 3672 Glenwood Road, Decatur. The property has approximately 711 feet of frontage on Glenwood Road and contains 13.44 acres.

N.9 SLUP-15-19925 DEFERRED UNTIL AUGUST 11, 2015; DECISION ONLY **Commission District: 5 Super**
District: 7
16-040-01-022

Application of Panola Crossings, LLC for a Special Land Use Permit (SLUP) to allow a Dairy Queen restaurant with a drive-through lane in the C-1 (Local Commercial) District within Tier 1 of the I-20 Overlay District. The property is located on the west side of Panola Road within the Panola Crossings Shopping Center, north of Snapfinger Woods Drive at 2617 Panola Road in Lithonia, Georgia. The property has approximately 230 feet on the west side of Panola Road and contains .91 acre.

N.10 SLUP-15-19927 FULL CYCLE DEFERRAL
15-068-01-033

Commission District: 3 Super District: 7

Application of Usman Gandhi for a Special Land Use Permit to allow alcohol sales in a building addition to an existing BP convenience store with fuel pumps, in a C-1 (Local Commercial) District. The property is located on the northwest corner of Flat Shoals Parkway and Wesley Chapel Road, at 4840 Flat Shoals Parkway, Decatur. The property has approximately 200 feet of frontage on Flat Shoals Parkway and approximately 225 feet of frontage on Wesley Chapel Road and contains .99 acre.

N.11 SLUP-15-19930 FULL CYCLE DEFERRAL
15-068-01-033

Commission District: 3 Super District: 7

Application of Usman Gandhi for a Special Land Use Permit to allow a drive-through restaurant addition to an expanded BP convenience store with existing fuel pumps, in a C-1 (Local Commercial) District. The property is located on the northwest corner of Flat Shoals Parkway and Wesley Chapel Road, at 4840 Flat Shoals Parkway, Decatur. The property has approximately 200 feet of frontage on Flat Shoals Parkway and 225 feet on Wesley Chapel Road and contains .99 acre.

N.12 SLUP-15-19933 FULL CYCLE DEFERRAL
16-113-04-007

Commission District: 5 Super District: 7

Application of Usman Gandhi for a Special Land Use Permit (SLUP) in a C-2 (General Commercial) District for a liquor store in Suite B of the retail plaza. The property is located on the northeast corner of Browns Mill Road and Klondike Road at 6768 Browns Mill Road in Lithonia, Georgia. The property has approximately 298 feet of frontage on Browns Mill Road and 300 feet of frontage on Klondike Road and contains 2 acres.

N.13 SLUP-15-19935 FULL CYCLE DEFERRAL
16-113-04-007

Commission District: 5 Super District: 7

Application of Usman Gandhi for a Special Land Use Permit (SLUP) in a C-2 (General Commercial) District for alcohol sales (beer and wine) in Suite A (convenience store) within the retail plaza. The property is located on the northeast corner of Browns Mill Road and Klondike Road at 6768 Browns Mill Road in Lithonia, Georgia. The property has 298 feet of frontage on Browns Mill Road and 300 feet of frontage on Klondike Road and contains 2 acres.

N.14 SLUP-15-19937 FULL CYCLE DEFERRAL
16-113-04-007

Commission District: 5 Super District: 7

Application of Usman Gandhi for a Special Land Use Permit (SLUP) for automobile fuel pumps in a C-2 (General Commercial) District. The property is located on the northeast corner of Browns Mill Road and Klondike Road at 6768 Browns Mill Road in Lithonia, Georgia. The property has approximately 298 feet of frontage on Browns Mill Road and 300 feet of frontage on Klondike Road and contains 2 acres.

N.15 SLUP-15-19931 DEFERRED UNTIL AUGUST 11, 2015; DECISION ONLY **Commission District: 3 Super District: 6**

**15-080-02-001, 15-080-02-004, 15-080-02-010, 15-080-02-011, 15-080-02-012,
15-080-02-013, 15-080-02-023, 15-080-02-064, 15-080-02-065, 15-080-02-069,
15-080-02-073, 15-080-02-070**

Application of Ralph Defares for a Special Land Use Permit (SLUP) in the M (Light Industrial) District to allow an asphalt plant. The property is located on the south side of Fleetwood Drive, the west side of Sunnyhill Drive, the east side of Almand Road, and both sides of Ray Street at 1137, 1143, and 1171 Fleetwood Drive, 1128, 1134, 1140, and 1146 Ray Street, 3391, 3393, and 3407 Sunnyhill Drive, and 3382 and 3412 Almand Road in Atlanta, Georgia. The property has approximately 321 feet of frontage

along Fleetwood Drive, 610 feet of frontage along Sunnyhill Drive, 796 feet of frontage along both sides of Ray Street, and approximately 527 feet of frontage along Almand Road and contains 6.27 acres.

N.16 SLUP-15-19932 WITHDRAWN WITHOUT PREJUDICE
District: 5 Super District: 7
16-165-03-001

Commission

Application of Ralph Defares for a Special Land Use Permit (SLUP) in the M (Light Industrial) District to allow an asphalt plant. The property is located on the south side of Maddox Road, approximately 927 feet west of Rock Chapel Road at 1913 Rock Chapel Road in Lithonia, Georgia. The property has approximately 900 feet of frontage along Maddox Road and contains 11.05 acres.

N.17 CZ-15-19934 APPROVED WITH STAFF'S 22 CONDITIONS AND TWO ADDITIONAL CONDITIONS: NO ACCESS FROM ARBOR COVE NEIGHBORHOOD AND RESTRICTED TO 25% RENTAL UNITS. TOTAL 24 CONDITIONS
Commission District: 1 Super District: 7
18-288-02-001

Application of Lifestyle Family Group for a major modification of approved zoning conditions pursuant to CZ-02-042, CZ-06-1164, and CZ-12-17717 to reduce 50 foot landscape strip, modify the sidewalk requirement, and delete the greenspace buffer requirement for development of townhomes in the RM-100 (Multifamily Residential) District. The property is located on the southeast side of Tucker Norcross Road, approximately 321 feet southeast of Pleasantdale Road, at 3281 Tucker Norcross Road, Doraville. The property has approximately 625 feet of frontage along Tucker Norcross Road and contains 8.43 acres.

N.18 SLUP-15-19938 DEFERRED UNTIL AUGUST 11, 2015; DECISION ONLY
Commission District: 4 Super District: 7
18-041-03-002

Application of Mahmoud Abdirahman for a Special Land Use Permit (SLUP) in the C-1 (Local Commercial) District to allow a minor automobile repair establishment in an existing 2,200 square foot building. The property is located on the southwest corner of Rockbridge Road and Allgood Circle, approximately 594 feet east of Hambrick Road at 4483 Rockbridge Road in Stone Mountain, Georgia. The property has approximately 179 feet of frontage along Rockbridge Road and 180 feet of frontage along Allgood Circle and contains .75 acre.

N.19 SLUP-15-19939 WITHDRAWN WITHOUT PREJUDICE Commission District: 3 Super District: 7
15-061-03-003, 15-061-03-005

Application of Alishah Inc for a Special Land Use Permit (SLUP) for a new convenience store with alcohol sales in a NS (Neighborhood Shopping) District. The property is located on the west side of Flakes Mill Road, approximately 833 feet south of the intersection of Flakes Mill Road and Flat Shoals Parkway at 3701 and 3721 Flakes Mill Road, in Decatur, Georgia. The property has approximately 414 feet of frontage along the west side of Flakes Mill Road and approximately 554 feet of frontage along the east side of Woodberry Parkway and contains 4.68 acres.

N.20 SLUP-15-19940 WITHDRAWN WITHOUT PREJUDICE Commission District: 3 Super District: 7
15-061-03-003, 15-061-03-005

Application of Alisha Inc for a Special Land Use Permit (SLUP) for automobile fuel pumps in a NS (Neighborhood Shopping) District. The property is located on the west side of Flakes Mill Road, approximately 833 feet south of the intersection of Flakes Mill Road and Flat Shoals Parkway at 3701 and 3721 Flakes Mill Road in Decatur, Georgia. The property has approximately 414 feet of frontage along the west side of Flakes Mill Road and approximately 554 feet of frontage along the east side of Woodberry Parkway and contains 4.68 acres.

N.21 Z-15-19943 FULL CYCLE DEFERRAL Commission District: 4 Super District: 6
15-251-01-020, 15-251-01-027, 15-251-01-028

Application of Felipe Castellano to rezone property from C-1 (Local Commercial) to PC-3 (Pedestrian Community) District to allow a mixed-use development consisting of a maximum of 13 single-family detached units, 11 fee-simple townhomes, 17,600 square feet of retail, and 289,800 square feet of office development. The property is located on the north side of Mountain Drive, approximately 250 feet east of Farrar Court at 3458, 3468, and 3478 Mountain Drive in Decatur, Georgia. The property has approximately 361 feet of frontage along Mountain Drive and contains 9.32 acres.

N.22 TA-15-20001 APPROVED Commission District: 1 & 4 Super District: 7

Application of DeKalb County Board of Commissioners to amend Division 43, Section 27-730, Mountain Industrial Boulevard Overlay district, of the Zoning Ordinance to change provisions related to land use, signage, and architectural regulations.